

MEMO ENDORSED

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Jose Joaquin Ramirez

-against-

Officer Lewis
City of New York
Several John Doe Officers
Several John and Jane Doe Nurses and Doctors

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/3/2020

18-CV-3486

DOCKET #

USDC SDNY
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DOC #:
DATE FILED: 1-31-20

**Motion for Extension of Time to File
Objections to Report and Recommendation**

1 - On Thursday - January 30th, 2020 a copy of the Magistrate's Report and Recommendation was delivered to the plaintiff by the U.S.P.S.

2 - **This is a request to have the time period to file formal objections extended by 45 days.**

3 - After reading the report and recommendation by the Magistrate, the objections in general will drive the point of misinterpreted facts and the court accepting the watered down and straw man versions of presented arguments which were advocated for by the Government's Counsel.

4 - While the Cited Case Law is proper for the positions addressed by the Magistrate, **the assertion of facts revolving around exhaustion and around the severity of injuries is deeply mistaken and for these reasons the District Court should refuse to adopt the recommendation.**

5 - In order to paint these issues with extreme clarity, the medical summations along with proper reference will be presented. In addition, the actual arguments made pertaining to exhaustion were drastically understated and these have to be properly argued to the District Court. It would appear that the response (which **Magistrate Henry B. Pitman asserted would be fully considered**) was not actually examined for the factual contents which were submitted.

6 - This point has to be stressed upon the District Court's decision. The proof that this document assured that this case proceeds beyond the Motion to Dismiss Stage is the Government's Counsel aggressive attempts to get these facts stricken from the record. However, **the extensive detailed and we'll plead facts and arguments within this document make almost no appearance in the Magistrate's opinion.** Instead the Magistrate presents facts that were watered down by taking the position of the Government's Counsel. To properly address this, time is required to draft a proper document.

7 - For this reason, **an extension of 45 days from the already granted 14 days is required.** It is well comprehended that the Magistrate's reasoning and legal argument will be persuasive upon

Date Submitted – Friday – January 31st, 2020

the District Court. Taking this into consideration, a thorough account has to be made to offset the Magistrate's reasoning and thus, the Court Should Grant the request for a **45-day extension** on this case.

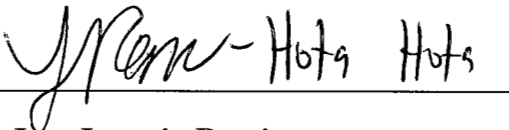
8 - Due to the time sensitive nature of this request, there has been no prior communication of this request with the Government's Counsel.

9 - **This document was drafted on Friday - January 31st, 2020** and if there is no response from the Government's Counsel by today, then this request would be presented with at most only 4 days remaining for the court to determine if an extension will be granted. **The Magistrate's Report is Dated January 24th, 2020.**

10 - A copy of this document was emailed to the Government's counsel - and just to stress, this is done due to the time sensitive nature of this request. In no way shape and or form is this an attempt to ignore the rules of Civil Procedure.

Verification

I, Jose Joaquin Ramirez – being of absolute sound, sane, logical, rational, and cognitive mind – do hereby assert, affirm, stress, verify, swear, and declare under the pains and penalties of perjury pursuant to the mandates set forth within Title 28 U.S.C. Section 1746 that the contents in this submission are submitted in good faith – and are absolutely true and correct.

X 

Jose Joaquin Ramirez
Propria Persona – Sui Juris
Federalist Republic of America
1580 Thieriot Avenue – Apartment # 2H
Bronx, Joaquin City – 10460
America, Americas - Earth

Date: Friday – January 31st, 2020

Application GRANTED in part. Plaintiff must submit objections no later than **February 27, 2020**. If submitted by mail, the letter must be dated and sent no later than **February 27, 2020**. The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.


2/3/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE